

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

CHRIS CATHEY,	-	
	-	
Plaintiff,	-	
	-	PLAINTIFF’S VERIFIED
v.	-	COMPLAINT AND
	-	DEMAND FOR JURY
GC SERVICES, LP	-	TRIAL
	-	
Defendant.	-	

CHRIS CATHEY (“Plaintiff”), through attorneys, KROHN & MOSS, LTD., alleges the following against GC SERVICES, LP, (“Defendant”):

**INTRODUCTION**

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).

2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**JURISDICTION AND VENUE**

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”

4. Defendant conducts business in the state of South Carolina, and therefore, personal jurisdiction is established.

5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

## **PARTIES**

6. Plaintiff is a natural person residing in Irmo, South Carolina

7. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).

8. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

9. Defendant is a national company located in Houston, Texas.

10. Defendant, in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

## **FACTUAL ALLEGATIONS**

11. Defendant' began placing collection calls to Plaintiff and Plaintiff's place of employment seeking and demanding payment for an alleged consumer debt.

12. Plaintiff incurred this debt primarily for personal, family and household purposes.

13. On November 5, 2012, Defendant contacted Plaintiff at the phone number 803-223-0815. *See* Exhibit A.

14. In the voicemail message, Defendant's representative, "Celeste Dobson", failed to meaningfully disclose the company's name or the nature of the call or state that the call was from a debt collector. *See* Exhibit A.

15. In the voicemail message, Defendant's representative, "Celeste Dobson", directed Plaintiff to call him back at 855-250-5471, which is a number that belongs to Defendant. *See* Exhibit A.

16. Defendant is using false, deceptive and misleading means in connection with attempting to collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

16. Defendant violated the FDCPA based on the following:
  - a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to annoy, harass and oppress Plaintiff.
  - b. Defendant violated §1692d(6) of the FDCPA by placing telephone calls without meaningful disclosure of the caller's identity because Defendant did not provide the identity of the caller or the purpose of the call.
  - c. Defendant violated § 1692e of the FDCPA by using false, deceptive or misleading representation with the collection of the debt.
  - d. Defendant violated § 1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt.
  - e. Defendant violated § 1692e(11) of the FDCPA by failing to disclose that the call was from a debt collector.

WHEREFORE, Plaintiff, CHRIS CATHEY, respectfully requests judgment be entered against Defendant, GC SERVICES, LP, for the following:

17. Statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k,
18. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k
19. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

KROHN & MOSS, LTD.

DATED: April 12, 2013

By: /s/Chauntel Bland

Chauntel Bland, Esquire  
463 Regency Park Drive  
Columbia, SC 29210

**DEMAND FOR JURY TRIAL**

PLEASE TAKE NOTICE that Plaintiff, CHRIS CATHEY, demands a jury trial in this case.